

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR LICENSURE OF SPEECH-LANGUAGE
5 PATHOLOGY AND AUDIOLOGY ASSISTANTS; REMOVING THE TERM "AIDES" BUT PROVIDING AN
6 OPTION FOR LICENSING; EXTENDING RULEMAKING AUTHORITY; AMENDING SECTIONS 37-15-102,
7 37-15-301, 37-15-302, 37-15-303, 37-15-307, 37-15-311, AND 37-15-314, MCA; AND REPEALING SECTION
8 37-15-313, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 37-15-102, MCA, is amended to read:

13 **"37-15-102. Definitions.** As used in this chapter, the following definitions apply:

14 (1) "Audiologist" means a person who practices audiology and who meets the qualifications set forth
15 in this chapter. A person represents to the public that the person is an audiologist by incorporating in any title or
16 description of services or functions that the person directly or indirectly performs the words "audiologist",
17 "audiology", "audiometrist", "audiometry", "audiological", "audiometrics", "hearing clinician", "hearing clinic",
18 "hearing therapist", "hearing therapy", "hearing center", "hearing aid audiologist", or any similar title or
19 description of services.

20 (2) "Audiology ~~aide or~~ assistant" means any person meeting the minimum requirements established
21 by the board of speech-language pathologists and audiologists who works directly under the supervision of a
22 licensed audiologist.

23 (3) "Board" means the board of speech-language pathologists and audiologists provided for in 2-15-
24 1739.

25 (4) "Department" means the department of labor and industry provided for in Title 2, chapter 15, part
26 17.

27 (5) "Facilitator" means a trained individual who is physically present with the patient and facilitates
28 telepractice at the direction of an audiologist or speech-language pathologist. A facilitator may be but is not

1 limited to an audiology assistant or a speech-language pathology aide or assistant.

2 (6) "Patient" means a consumer of services from an audiologist, ~~or a~~ speech-language pathologist, a
3 speech-language pathology assistant, or an audiology assistant, including a consumer of those services
4 provided through telepractice.

5 (7) "Practice of audiology" means nonmedical diagnosis, assessment, and treatment services relating
6 to auditory and vestibular disorders as provided by board rule and includes the selling, dispensing, and fitting of
7 hearing aids.

8 (8) "Practice of speech-language pathology" means nonmedical diagnosis, assessment, and
9 treatment services relating to speech-language pathology as provided by board rule.

10 (9) "Speech-language pathologist" means a person who practices speech-language pathology and
11 who meets the qualifications set forth in this chapter. A person represents to the public that the person is a
12 speech-language pathologist by incorporating in any title or description of services or functions that the person
13 directly or indirectly performs the words "speech pathologist", "speech pathology", "speech correctionist",
14 "speech corrections", "speech therapist", "speech therapy", "speech clinician", "speech clinic", "language
15 pathologist", "language pathology", "voice therapist", "voice therapy", "voice pathologist", "voice pathology",
16 "logopedist", "logopedics", "communicologist", "communicology", "aphasiologist", "aphasiology", "phoniatriest",
17 "language therapist", "language clinician", or any similar title or description of services or functions.

18 (10) "Speech-language pathology ~~aide or~~ assistant" means a person meeting the minimum
19 requirements established by the board who works directly under the supervision of a licensed speech-language
20 pathologist.

21 (11) "Telepractice" means the practice of audiology or speech-language pathology by an audiologist or
22 speech-language pathologist at a distance through any means, method, device, or instrumentality for the
23 purposes of assessment, intervention, and consultation."
24

25 **Section 2.** Section 37-15-301, MCA, is amended to read:

26 **"37-15-301. License required.** (1) A license must be issued to qualified persons either in speech-
27 language pathology or audiology. A person may be licensed in both areas if the person meets the respective
28 qualifications, and in those instances, the license fee must be as though for one license.

1 (2) A person may not practice or represent to the public that the person is a speech-language
 2 pathologist, ~~or an~~ audiologist, a speech-language pathology assistant, or an audiology assistant in this state
 3 unless the person is licensed in accordance with the provisions of this chapter.

4 (3) The board may issue a limited license to qualified individuals engaged in supervised professional
 5 experience, as defined by board rule."

6

7 **Section 3.** Section 37-15-302, MCA, is amended to read:

8 "**37-15-302. Application forms.** An application ~~for examination for licensing to be licensed as a~~
 9 speech-language pathologist, ~~or an~~ audiologist, a speech-language pathology assistant, or an audiology
 10 assistant must be made ~~upon~~ on forms prescribed by the department."

11

12 **Section 4.** Section 37-15-303, MCA, is amended to read:

13 "**37-15-303. Qualifications.** (1) To be eligible for licensing by the board as a speech-language
 14 pathologist or audiologist, the applicant:

15 (a) must meet the current academic, supervised clinical practicum, and supervised professional
 16 experience requirements as defined by board rule; and

17 (b) shall pass an examination approved by the board.

18 (2) (a) To be eligible for licensing by the board as a speech-language pathology assistant or an
 19 audiology assistant, the applicant:

20 (i) must meet the current academic, supervised clinical practicum, and the supervised professional
 21 experience requirement, as each is defined by board rule, and pass the examination approved by the board; or

22 (ii) shall provide evidence to the board that the applicant:

23 (A) served as an unlicensed speech-language pathology assistant or an unlicensed audiology
 24 assistant sufficient to meet current academic, supervised clinical practicum, and supervised professional
 25 experience similar to those defined under subsection (2)(a)(i) for a period prior to October 1, 2021; and

26 (B) passed the examination approved by the board.

27 (b) The board shall provide by rule the type of evidence and conditions, plus the length of the period
 28 required under subsection (2)(a)(ii), to meet equivalency for current academic, supervised clinical practicum,

1 and supervised professional experience prior to October 1, 2021.

2 ~~(2)(3)~~ The board shall determine the subject and scope of ~~the~~ any examination.

3 ~~(3)(4)~~ The standards defined by the board must be equal to or greater than the standards generally
4 accepted as the national norm."

5

6 **Section 5.** Section 37-15-307, MCA, is amended to read:

7 **"37-15-307. Application and examination fee -- license fee -- registration fee.** The board shall
8 determine the amount of fees, which may be adjusted annually by rule, that are necessary to meet costs and
9 projected expenditures for:

10 (1) a renewed license as a speech-language pathologist, ~~or an~~ audiologist, a speech-language
11 pathology assistant, or an audiology assistant;

12 (2) a limited license for a person engaged in supervised professional experience; and

13 (3) an initial application for a license ~~or registration;~~

14 ~~(4) examinations; and~~

15 ~~(5) registration as a speech-language pathology aide or assistant or audiology aide or assistant."~~

16

17 **Section 6.** Section 37-15-311, MCA, is amended to read:

18 **"37-15-311. Municipal tax prohibited.** ~~No~~ A municipality or any other subdivision of the state may
19 not impose a license tax shall be imposed upon on speech-language pathologists, ~~or~~ audiologists, by a
20 municipality or any other subdivision of the state speech-language pathology assistants, or audiology
21 assistants."

22

23 **Section 7.** Section 37-15-314, MCA, is amended to read:

24 **"37-15-314. Telepractice -- authorization -- licensure.** (1) An audiologist or speech-language
25 pathologist who is licensed under and meets the requirements of this chapter may engage in telepractice in
26 Montana without obtaining a separate or additional license from the board.

27 (2) Except as provided in 37-15-103, an audiologist or speech-language pathologist who is not a
28 resident of Montana and who is not licensed under this chapter may not provide services to patients in Montana

1 through telepractice without first obtaining a license from the board in accordance with this part.

2 (3) An audiology ~~aide or~~ assistant or a speech-language pathology ~~aide or~~ assistant may not engage

3 in telepractice. This section does not prohibit an audiology ~~aide or~~ assistant or a speech-language pathology

4 ~~aide or~~ assistant from serving as a facilitator."

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6 NEW SECTION. Section 8. Repealer. The following section of the Montana Code Annotated is

7 repealed:

8 37-15-313. Registration of aides or assistants.

9 - END -